Preface to the Second Edition

You are holding in your hands (or are viewing on your tablet or laptop) the Second Edition of *Defining Crimes*, a casebook that we continue to hope will help to redefine the study of Criminal Law in the United States.

The main revisions from the First Edition are not numerous, but they are significant:

In Chapter 3, we have expanded the coverage of “malice” as part of the common law of *mens rea*;

In Chapter 5, we have added a new section on criminal trespass, focusing on its frequent and controversial use as a proxy crime for drug dealing in public housing;

In Chapter 6, we have added a new section on drug laws that increase punishments based on the location of the drug possession or sale (e.g., “drug-free school zones”) — laws that often have disparate impacts based on race and class;

In Chapter 8, we have included expanded coverage of “acquaintance rape”;

In Chapter 10, we have added new sections on the “battered spouse defense” and “Stand Your Ground” laws.

In addition, the Second Edition has been updated throughout, with new empirical data as well as new material on hot topics like the legalization of marijuana, racial bias in police stop-and-frisk actions, and mandatory minimum sentences, all in keeping with the desire for *Defining Crimes* to continue to reflect the issues and controversies that are most important in contemporary criminal justice.

As with the First Edition, wherever our own footnotes might be confused with those contained in the primary material, our footnotes are identified by asterisks. This Second Edition of the casebook contains court decisions and legislative materials current through March 2014.

Finally, a brief personal word about my beloved co-author, Bill Stuntz, who passed away shortly after the First Edition of this casebook was published. Although Bill is no longer with us, he will always be fondly remembered, not only for his intellect and his keen insight—which were without peer among criminal law and criminal procedure scholars of his generation—but
also, and even more so, for his humanity. Bill was one of the warmest human beings I have ever had the pleasure to know, and I miss him every day. His ideas, as well as his spirit, will continue to animate this casebook in the years to come.

Joseph L. Hoffmann

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